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OFFICE OF GENERAL  
COUNSEL

**Bruning for Attorney General**  
**P.O. Box 83527**  
**Lincoln, NE 68501**

November 2, 2010

Federal Election Commission  
General Counsel's Office  
999 E St., NW  
Washington, DC 20463

Re: MUR 6401

Dear General Counsel's Office,

Bruning for Attorney General ("the committee") is in receipt of a letter dated Oct. 27, 2010, from Jeff S. Jordan, Supervisory Attorney, Complaints Examination & Legal Administration, for the Federal Election Commission ("FEC"). Mr. Jordan's letter states the FEC received a complaint on Oct. 22, 2010, from the Nebraska Democratic Party alleging that the committee may have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

The committee received a contribution from TransCanada Keystone Pipeline, LP on Jan. 22, 2010, in the amount of \$2,500. The check, number 0002889, dated Dec. 22, 2009, was delivered by TransCanada representatives to the committee on Jan. 22, 2010. A copy of the check is attached hereto as Exhibit 1. TransCanada reported the contribution to the Nebraska Accountability and Disclosure Commission ("NADC") as required by Nebraska law for corporate contributions, on Feb. 1, 2010. TransCanada's report, attached as Exhibit 2, described the check as having been contributed by TransCanada Corporation, 13710 FNB Pkwy., Omaha, NE 68154. More important, company representatives indicated at the time the contribution was made and continue to indicate that it was from a U.S. corporation.

The committee filed its first primary statement (Form B-1) on April 12, 2010, and listed the \$2,500 contribution from TransCanada Keystone Pipeline, LP on page 11 of Schedule A. The committee reported the contribution three more times to the NADC on its Form B-1, Schedule A; with its second primary statement on May 3, 2010, post-primary statement filed June 21, 2010, and first general statement filed Oct. 4, 2010.

On Sep. 30, 2010, Frank Daley, Executive Director of the NADC, called the committee to indicate the TransCanada check may not be from a U.S. Corporation. That same day, Sep. 30, 2010, out of an

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abundance of caution, the committee returned the money to TransCanada by writing check number 2392 for \$2,500 and delivering it to TransCanada representatives (return check attached as Exhibit 3).

In short, while TransCanada representatives said and continue to say the check was drawn on a domestic corporation, and in fact the records of the Nebraska Secretary of State show TransCanada Keystone Pipeline, LP is a limited partnership organized under the laws of the State of Delaware (Letter of Good Standing attached as Exhibit 4), the committee returned the contribution out of abundance of caution. If the Act was violated, it was inadvertently violated and the problem was remedied when the contribution was returned at the earliest hint of any potential issue, prior to the filing of the complaint.

Burning for Attorney General respectfully asks the Commission to dismiss Matter #TUR 6401 given the inadvertent nature of any violation, if indeed a violation has occurred.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a horizontal line that curves upwards and then back down to the baseline.

Burning for Attorney General

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<div> <div> Candidate Finance </div> <div> Reporting </div> <div> Entity / Committee of Interest </div> <div> Enforcement </div> </div>		
Entity / Direct Contributions		Indirect Contributions / PAC Info
<b>NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION</b> 11th Floor, State Capitol P.O. Box 98086 Lincoln, NE 68509 (402) 498-2622	<b>REPORT OF POLITICAL CONTRIBUTIONS OF A CORPORATION, UNION OR OTHER ASSOCIATION</b>  <b>NADC FORM B-7</b>	
<ul style="list-style-type: none"> <li>Any corporation (including a non-profit or professional corporation), labor organization, or industry, trade, or professional association, doing business in this state which makes a contribution or expenditure or provides personal services of \$250.00 determined by fair market value for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of one or more candidates or the qualification, passage or defeat of one or more ballot questions must file this form.</li> <li>File with the Nebraska Accountability and Disclosure Commission within 10 days after the end of the calendar month in which any reportable contribution or expenditure is made or payment is provided.</li> <li>This report is filed on time if it is postmarked or received on or before the due date. Late filing fees are \$25.00 per day, not to exceed \$750.00.</li> </ul>		
<b>ITEM 1</b> <u>INDIRECT CONTRIBUTIONS</u> <u>NAME OF CORPORATION, UNION OR OTHER ASSOCIATION</u>		
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Labor Organization <input type="checkbox"/> Industry or Trade Association <input type="checkbox"/> Professional Association Name <u>TRANS CANADA CORPORATION</u> Telephone No. _____ Address <u>13710 FNB PARKWAY #319</u> <u>OMAHA</u> <u>NE</u> <u>68154</u>		
<b>ITEM 2</b> <u>DIRECT CONTRIBUTIONS TO CANDIDATES OR POLITICAL COMMITTEES</u> (Complete for all cash contributions and expenditures, pledges and loans of \$250 or more made directly to candidates or political committees.)		
DATE	AMOUNT	RECIPIENT (Name of Candidate or Political Committee)
01/28/2010	2140.00	BRYNING MORRIS TORREY GEMERAL
<a href="#">Security Policy</a> <a href="#">Webmaster</a> <a href="#">Privacy Policy</a>		

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Exhibit 4

15:00:43

Tue Nov 2 0

# STATE OF NEBRASKA LETTER OF GOOD STANDING

**JOHN A. GALE**  
Secretary of State

Corporate Division  
Room 1301  
State Capitol  
Lincoln, NE 68509

November 02, 2010

Jon Bruning  
2901 Bonacum Drive  
Lincoln, NE 68502

Dear Jon Bruning

Our records indicate that as of November 02, 2010 at 3:00 PM the limited partnership known as:

**TRANSCANADA KEYSTONE PIPELINE, LP**

a DE limited partnership, has registered with the Nebraska Secretary of State's Office and is currently in existence and good standing to do business in the State of Nebraska as of the time and date noted above.

Sincerely,

John A. Gale  
Secretary of State

Information on this document provided from the records of the Nebraska Secretary of State Office through Nebraska.gov, an instrumentality of the State of Nebraska

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